

REMARKS/ARGUMENTS

Claims 1-40 are pending in the application. Claims 1-40 stand rejected over Schein et al. (U.S. Patent No. 6,226,623) in view of Sandhu et al. (U.S. Patent No. 6,347,307) and in further view of Buist (U.S. Patent No. 6,408,202) under 35 U.S.C. 103(a).

Claim Amendments

The amendment of independent method claim 1 and corresponding independent system claim 14, the amendment of independent method claim 27 and corresponding independent system claim 29, and the amendment of independent method claim 38 proposes that financial parameters for available financial instruments are received, for example, in a spreadsheet format from each of a number of fund managers at their respective terminals via the global communications network (See p. 20, lines 2-6), along with a designation by each fund manager of a single predetermined daily cutoff time for all of the fund manager's financial parameters (See p. 20, line 23-p. 21, line 5), and that thereafter a number of brokers at their respective terminals are allowed to access the financial parameters associated with the available financial instruments via the global communications network (See p. 17, lines 6-10). The amendment proposes further that transactional data received from one of the brokers is related to one or more of the available financial instruments via a relational database storing order details for each broker and fund details for each fund manager (See, p. 21, lines 15-19, Table 2 on p. 22, and Figure 4), and the financial parameters received from one or more of the fund managers for the available financial instrument for said transactional data are retrieved and used to complete an order for the financial instrument (See, p. 23, lines 1-7), if the order is completed before the predetermined daily cutoff time (See p. 20, line 23-p. 21, line 5).

The amendment of claims 15 and 20 clarifies "means for"; the amendment of claims 28 and 30 clarifies "further comprises"; claims 30-36 are canceled; and the amendment of claim 37 clarifies "said one of the fund managers at the fund manager terminal" and "said one of the brokers at the broker terminal".

Support for the foregoing amendment is found throughout the specification and in the claims as detailed above. Accordingly, no new matter has been added.

Claim Rejections - 35 U.S.C. § 103

Claims 1-40 stand rejected over Schein et al. (U.S. Patent No. 6,226,623) in view of Sandhu et al. (U.S. Patent No. 6,347,307) and in further view of Buist (U.S. Patent No. 6,408,202) under 35 U.S.C. 103(a). As noted, claims 30-36 are canceled. The rejection of claims 1-29 and 37-40 is respectfully traversed and reconsideration is requested. The references asserted do not teach or suggest the subject invention.

With regard to independent method claim 1 and corresponding independent system claim 14, independent method claim 27 and corresponding independent system claim 29, and independent method claim 38, the Examiner considers that Schein et al. teaches all of the claimed elements except calculating a real time market value for the financial instrument, which the Examiner considers to be taught by Sandhu et al. in view of Buist. It is true that Schein et al. proposes a global communications network, but the global communications network proposed in Schein et al. merely provides an interface between ATM (a.k.a. CAT) and other computer networks to allow a consumer to do his or her banking business via an ATM, by a phone call to a call center, or online via PC home banking software. (See Col 10, lines 14-26; Col 14, line 52-Col 15, line10). A key focus of Schein et al. is the ability of bank customers to conduct their banking in a single language with a common screen format from anywhere in the world. (See Col 18, lines 9-47).

It is also true that Sandhu et al. proposes connections to real-time market data, financial and other news, and third-party data feeds (See Col. 4, lines 47-53). However, Sandhu et al. proposes an Internet trading system in which an institutional investor sends a request for a quote on a security to one or more financial institutions (See Col. 5, line 60-Col. 6, line 55), which can then submit price quotes to the institutional investor via phone or email, each with its own specified expiration period. The financial institution can change its price quotes, and the institutional

investor can negotiate and accept the best offer and send its acceptance to the financial institution. (Col. 6, line 56-Col 7, line 27).

Buist likewise proposes an Internet trading system, but with a continuous display of real-time stock quotes on a user's computer screen. According to Buist, a subscriber at his PC is connected to both a user-to-user trading system and a broker/dealer system. The user-to-user system provides real-time continuously updated stock information and facilitates trades with other users of the system if the trades are approved by the broker/dealer system with which it interacts. The user can accept a buy or sell offer at the terms offered by another user or negotiate a counteroffer. (See Abstract).

There is no teaching or suggestion whatsoever in Schein et al., Sandhu et al. and/or Buist of receiving financial parameters for available financial instruments from each of a number of fund managers at their respective terminals via a global communications network, along with a designation by each fund manager of a single predetermined daily cutoff time for all of the fund manager's financial parameters, and thereafter allowing each of a number of brokers at their respective terminals to access the financial parameters associated with the available financial instruments via the global communications network according to applicants' claimed invention.

Nor is there any teaching or suggestion in Schein et al., Sandhu et al. and/or Buist of a relational database storing order details for each broker and fund details for each fund manager that relates transactional data received from one of the brokers to one or more of the available financial instruments, and of retrieving the financial parameters received from one or more of the fund managers for the available financial instrument for said transactional data and using the retrieved parameters to complete an order for the financial instrument if the order is completed before the predetermined daily cutoff time, according to applicants' claimed invention.

The claimed combinations are not taught or suggested by Schein et al. and/or Sandhu et al. and/or Buist either separately or in combination with one another. Rather, Schein et al. teaches a communications network that provides an interface between an ATM network and other computer networks to allow a consumer to do his

or her banking business via an ATM, phone call, or PC home banking software and focuses primarily on providing bank customers an interface with a single language and common screen format from anywhere in the world; Sandhu et al. teaches an Internet trading system that allows financial institutions to submit price quotes via phone or email in response to requests from institutional investors; and Buist teaches an Internet trading system that allows stock trading with other users of the system, subject to approval by a broker/dealer system. It is also noted that none of the remaining references cited but not applied by the Examiner discloses the claimed features of applicant's invention.

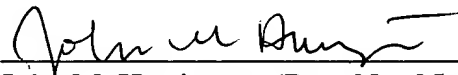
Because the cited references, either alone or in combination, do not teach the limitations of independent claims 1, 14, 27, 29, and 38, the Examiner has failed to establish the required *prima facie* case of unpatentability. See *In re Royka*, 490 F.2d 981, 985 (C.C.P.A., 1974) (holding that a *prima facie* case of obviousness requires the references to teach all of the limitations of the rejected claim); See also MPEP §2143.03. The Examiner has failed to establish the required *prima facie* case of unpatentability for independent claims 1, 14, 27, 29, and 38 and similarly has failed to establish a *prima facie* case of unpatentability for claims 2-13 and 37 that depend on claim 1, claims 15-26 that depend on claim 14, claim 28 that depends on claim 27, claim 30 that depends on claim 29, and claims 39 and 40 that depend on claim 38 and which recite further specific elements that have no reasonable correspondence with the references.

Conclusion

In view of the foregoing amendment and these remarks, each of the claims remaining in the application is in condition for immediate allowance. Accordingly, the examiner is requested to reconsider and withdraw the rejection and to pass the application to issue. The examiner is respectfully invited to telephone the undersigned at (336) 607-7318 to discuss any questions relating to the application.

Respectfully submitted,

Date: 7/3/03


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